

AMENDED IN SENATE JUNE 1, 2005

AMENDED IN SENATE MAY 31, 2005

SENATE BILL

No. 472

Introduced by Senator Alquist

February 18, 2005

An act to add Section 11011.30 to the Government Code, relating to state property, ~~and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 472, as amended, Alquist. Disposition of state property: Bay Area Research Extension Center.

Existing law generally authorizes the Director of General Services to sell, lease, or exchange surplus state property, after it has first been offered to local government agencies or for specified purposes, subject to specified conditions.

This bill would authorize the director to sell, lease, or exchange the remaining approximate 6 acres in the City of Santa Clara known as the Bay Area Research Extension Center, subject to the specified conditions.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11011.30 is added to the Government
- 2 Code, to read:

1 11011.30. Pursuant to Section 54222 and notwithstanding
2 Sections 11011.1 and 11011.10, the Director of General Services
3 may sell, lease, or exchange, upon any terms and conditions, and
4 with any reservations and exceptions, deemed by the director to
5 be in the state's best interest, the remaining approximate six acres
6 in the City of Santa Clara known as the Bay Area Research
7 Extension Center (BAREC), subject to the following conditions:

8 (a) The Department of General Services shall market the
9 property with the condition that the sale, lease, or exchange
10 cannot be completed until the appropriate local governmental
11 entity has granted entitlements for the buyer's or lessee's
12 development project.

13 (b) The Department of General Services shall, prior to the sale,
14 lease, or exchange, perform preliminary studies to determine the
15 presence of hazardous materials on the site.

16 (c) Where the land is to be used for the purpose of providing
17 housing for persons and families of very low, low, or moderate
18 income, as defined in Section 50093 of the Health and Safety
19 Code, the Director of General Services, with the approval of the
20 State Public Works Board, may offer the land to local agencies
21 within whose jurisdiction the land is located. The land shall be
22 transferred to the local agencies at a reasonable cost that is less
23 than fair market value to enable the provision of housing for
24 persons and families of very low, low, or moderate income. In no
25 case shall the reasonable cost be more than three million dollars
26 (\$3,000,000) below fair market value.

27 (d) The fair market value of the land shall be established by
28 the price per acre accepted by the state pursuant to a purchase
29 agreement between the state and SummerHill Winchester LL for
30 approximately 10 acres of the land on the BAREC site.

31 ~~SEC. 2. This act is an urgency statute necessary for the~~
32 ~~immediate preservation of the public peace, health, or safety~~
33 ~~within the meaning of Article IV of the Constitution and shall go~~
34 ~~into immediate effect. The facts constituting the necessity are:~~

35 ~~In order for needed affordable housing to be provided pursuant~~
36 ~~to this act at the earliest possible time, it is necessary for this act~~
37 ~~to take effect immediately.~~